MDP
Maryland Department of Planning

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July 1, 2008

Mr. John E. Nelson
Planning and Land Development Director
Garrett County Department of Planning and Land Development
203 S. Fourth Street, Room 210
Oakland, MD 21550

Dear Mr. Nelson:

The Maryland Department of Planning has completed the coordinated review of the 2008 Draft Garrett County Comprehensive Plan. Thank you for your participation in the plan review process. The State of Maryland is committed to fighting the high financial, social, and environmental costs of sprawl development through effective Smart Growth and Neighborhood Conservation strategies, which truly enhance the quality of life for everyone in Garrett County.

The Department has determined that the 2008 Draft Garrett County Comprehensive Plan has sufficiently addressed the majority of the requirements of HB 1141. We have attached comments and recommendations regarding the Water Resources Element for your consideration. The Land Use section of the Plan encourages proper controls for both conservation and development of lands throughout Garrett County. Controls do exist that would better assist in achieving the goals and objectives set forth in this section of the Plan.

We have sent copies of the Draft Plan to the Maryland Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, Agriculture, and the Maryland Emergency Management Agency.

Attached are comments and recommendations from the Maryland Department of Planning.

Thank you for the opportunity to review the 2008 Draft Garrett County Comprehensive Plan. If you have any questions and/or require assistance, please contact the review coordinator David V. Cotton at 301-777-2161.

Sincerely,

Stephanie Martins
Director, Land Use Planning and Analysis

cc: David Cotton

301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2305
Telephone: 410.767.4500 • Fax: 410.767.4480 • Toll Free: 1.877.767.6272 • TTY Users: Maryland Relay
Internet: www.MDP.state.md.us

Review Comments from the Maryland Department of Planning
Garrett County, Maryland
DRAFT Comprehensive Plan

POPULATION PROJECTIONS AND BUILD OUT ANALYSIS

The County has done a good job incorporating a build out analysis in the draft plan and has linked this analysis to population projections and future growth management strategies.

LAND USE

- Page 3-12 of the draft plan states that the County's intent for the Rural Resource (RR) and Agricultural Resources (AR) areas is "to remain rural and to conserve these areas' natural resources, primarily forest and timber resources, for future generations. New residential and other forms of development are permitted, provided rural resources are protected." The zoning for new residential development in the RR and AR zones permits a maximum density of one dwelling unit per three acres. The Maryland Department of Planning feels that rural resource and conservation areas should be zoned for no more than one house per 20 acres. This is the minimum level of protection capable of stabilizing land use in the face of development pressure long enough for easement acquisition efforts to succeed in preserving land. The County may want to consider more restrictive zoning if they are to achieve their vision for these areas.

- On page 3-17 of the plan the draft plan classifies the Suburban Residential (SR) Land Use type as medium density residential. Residential units must be at least 20,000 square feet. This is about 2 dwelling units per acre. Please be advised while the County classifies this as medium density residential these areas will be mapped by the Maryland Department of Planning (MDP) as Low Density Residential, the allowable density must be at least 3.5 dwelling units per acre to be classified as Medium Density Residential by MDP.

TRANSPORTATION

With regard to transportation planning, the draft plan thoroughly documented the existing conditions, transportation trends and issues, and recommendations to address transportation issues in the Deep Creek Lake Influence Area in Chapter 4 and on the countywide system in Chapter 6. We offer the following comments for your consideration:

- Capacity increase on MD 495 would require a careful assessment of direct and secondary land use impacts in rural areas, where developments are not guided by restrict land use regulations.

- As a multi-modal approach, bicycle and pedestrian facilities should be provided and connected throughout the community.

- MDP encourages access management to preserve major road capacity in Garrett County. We support amending the Subdivision Ordinance to allow the County to require access management on major roads.

- MDP advocates pedestrian access in developed and developing areas. Especially, MDP supports the requirement to provide pedestrian facilities as part of a new development.

- We support the County to explore funding mechanisms, e.g., impact fees or excise taxes, to address funding needs for transportation facility improvements.

- Item 6 on page of 6-18 reads the County opposes the use of US 219 south of I-68 as the primary link to Corridor H. It will be helpful to provide a brief explanation for the policy.

WATER RESOURCES ELEMENT

To ensure the adequacy of water supplies to support the existing and future development in the proposed land use plan, the Garrett County Comprehensive Plan includes a demand forecast and compares this to expected capacity (p. 5-5). In addition, the plan discusses methods of protecting the county's source water (p. 5-12).

Comments on the water demand analysis include:

- Overall, the water demand analysis is excellent. The analysis takes into consideration the demand and expected capacity for all of the towns as well as the county systems. The tables and accompanying information and notes are clearly written.

- Table 5.2 (p. 5-5) identifies existing water deficits at Gorman, and future deficits at Mountain Lake Park/Loch Lynn Heights, Grantsville, and Bloomington.

    - Provide more details on possible solutions to future deficits in the "Unmet Future Demand in Public Water Systems" (p. 5-8) section (e.g., where and how additional water supply and capacity can be obtained). Note whether the policy to "explore incentives to encourage property owners to install water conserving fixtures and appliances" (p. 5-28) would be part of the possible solutions to the projected deficits (and the existing deficit at Gorman).

- Water service area and system expansions are planned for Gorman and McHenry (p. 5-7).

    - Discuss whether there is (or will be) sufficient water supply to support the planned expansions of Gorman and McHenry. Although potential water supplies are discussed for the entire county (pp. 5-9 to 5-12), the Water Resource Element (WRE) should discuss whether any of these potential supplies would be available (or would be needed) for the Gorman and McHenry expansions.

- In the "Public Water Systems" section (p. 5-2):

    - For Grantsville (p. 5-6), the WRE does not appear to capture new annexations planned by the town. As a result, the projected water deficit in Table 5.2 could be

even larger. Also, Table 5.2 notes that the water demand at Grantsville is expected to increase from 47,000 gallons per day (GPD) to 138,200 GPD. However, the text (p. 5-6) only discusses an additional increase of 46,000 GPD of demand. Note where the other demand is expected to come from.

- For Loch Lynn Heights (p. 5-6), indicate whether the supply from new wells recently drilled at London's Dam are part of the permitted withdrawal, and if not, list the potential additional supply these wells could provide.

- For Gorman (p. 5-7), a new water line was added recently by a coal company. Note whether the water line is providing additional supply and whether it will help address the existing deficit at Gorman.

- The "Public Water Systems" section (p. 5-2) states that "Figure 5.1 shows existing public water service areas." Note that the map also shows proposed water service areas. Also, the geographical areas shown on Figure 5.1, "Water Service Areas in Garrett County" (p. 5-3) do not correlate with all of the information found in Table 5.1, "Public Water System Characteristics" (p. 5-4), under the Planned/Potential Service Area Extensions category. These differences are as follows:

  - Friendsville: extensions are shown on map but not discussed in chart.
  - Deer Park: extensions are shown to the west of the Town but are not shown on the chart.
  - Mountain Lake Park: extensions to the north, south, and west, are shown on the map however the chart does not indicate any extension.
  - Grantsville: the chart indicates expansion however the map does not show any expansion.
  - Gorman: the chart indicates expansion however the map does not show any expansion.

- In the "Potential New Surface Water Supplies" section, with regard to use of the Piney Run Reservoir (p. 5-11), the county should describe the treatment needs for the raw water and whether this could be provided by the county—it might not be economically feasible to pump treated reservoir water from Frostburg to Finzel.

- With regard to the Accident water system (p. 5-8), add a sentence that points out that wastewater system capacity needs to be balanced with water system capacity to ensure there is sufficient water to flush into the wastewater system. Also, explain how additional water supply and capacity will be obtained.

- In Table 5.2 (p. 5-5), add a footnote to indicate whether the "Existing Water Production" represents the MDE groundwater appropriation permit limits or the current design capacity of a water treatment plant.

Comments on the proposed methods for protecting the county's source water:

- The WRE could discuss whether the private water systems (p. 5-7) are susceptible to pollution and if so, whether these might be included in future source water protection plans (p. 5-12).

The Garrett County Comprehensive Plan identifies the streams affected by land use impacts (p. 2-7), including Tier II waters (p. 5-22), maps the watersheds that drain into the streams (p. 2-17), describes land use within each watershed (p. 3-19) and identifies WWTP discharge point locations (p. 5-15). Although the plan does not include a specific discussion of whether the streams are suitable receiving waters for expected land use impacts, the WRE does include forecasts of wastewater impacts (p. 5-23) and stormwater impacts (p. 5-26).

Comments on identifying suitable receiving waters:

- Overall, the wastewater demand analysis is excellent. The analysis takes into consideration the demand and expected capacity for all of the towns as well as the county systems. The tables and accompanying information and notes are clearly written.

- The wastewater and stormwater pollution forecasts, which includes an impervious surface forecast, are good; however, some improvements could be made.

- The county should include a discussion of septic tank pollution in the "Nonpoint Source Loading" section (p. 5-26). If only 6,700 homes are served by public sewer systems, and this represents 37 percent of the county total (p. 5-13), then this means there are about 11,400 homes served by septic tanks. Note whether septic tank pollution is included as part of the nonpoint source pollution forecast.

- If possible, the "Nonpoint Source Loading" section could consider the impact of inflow and infiltration on sewage overflows and pollutant loading resulting from the overflows. Another nonpoint source impact that could be described in the WRE by the county is the addition of sand and salt on roadways during the winter, which could increase as roadways and vehicle miles traveled increase into the future. The State Highway Administration has funds for counties to address cleanup of these materials.

- The WRE should include an additional section that considers the combined pollution impact of WWTP discharge, septic tank pollution, and stormwater runoff on the county's water bodies.

- In the "Nonpoint Source Loading" section (pp. 5-26 to 5-27), the county should follow-up its statement that "Because Scenario 1 converts more farm land to residential and commercial land, it actually reduces phosphorus loading" by noting "there are other environmental impacts from development such as air pollution (cars and trucks, power plants), wastewater discharge (WWTPs and septic tanks), and impervious surface that could alter this equation; however, a comprehensive analysis of these impacts is difficult".

- Under the "Wastewater Assessment: Existing Conditions" section (p. 5-13), the first paragraph (last two sentences) has a typo – "water systems" should be "sewer systems"

- In Table 5.4 (p. 5-16), add a footnote to indicate whether the "Existing Treatment Capacity" represents the MDE wastewater discharge permit limits or the current design capacity of the wastewater treatment plant.

- For the Deep Creek Lake WWTP, provide clarity whether the system is expected to be expanded by 2030. Although the WRE notes the potential to expand the system to 3.9

MGD (p. 5-19), and identifies a future capacity deficit for the Deep Creek Lake WWTP (p. 5-16), there is no indication in the text or tables that the county plans to expand the system by 2030.

- Provide more details on possible solutions to future deficits at the Gorman and Deep Creek Lake WWTPs in the "Identification of Issues – Public Sewer Systems" (p. 5-19) section.

- For the county's larger WWTPs (e.g., Deep Creek Lake, Grantsville), indicate whether a treatment upgrade would allow for capacity expansions (since nutrient loadings would be reduced).

- For the Accident and Friendsville WWTPs (pp. 5-13 and 5-17), provide a reference to a study or data that confirms that reducing inflow and infiltration will reduce flows to levels below the WWTP capacity. If there is no supporting data, note that additional flow reduction measures might need to be considered.

- The Garrett County Comprehensive Plan identifies many different policies, objectives, and strategies that can help reduce pollution. The Water Resource Element should refer to these, noting that these efforts might help to make water bodies more suitable for receiving wastewater and stormwater impacts from existing and future development. An example includes conservation subdivisions (p. 3-15).

Other water resource planning comments:

- Note that urban stormwater retrofits (p. 5-28), septic denitrification units (p. 5-28), and preventing sprawl through clustering and forest conservation (p. 5-26) are ways that the county can contribute towards implementing the Chesapeake Bay Tributary Strategy.

- The discussion of land use plans by watershed (p. 3-19) could refer to the nonpoint source pollution forecasts conducted for the Comprehensive Plan. Indicate whether the forecasts affected the choice of land use plan for each watershed.

- Indicate on page 3-6 some of the specific ways that previous development patterns have impacted water resources—more septic tanks instead of WWTP connections, more impervious cover, less forest, and more air pollution (from driving).

- The plan should mention whether the proposed growth areas are within Priority Funding Areas (PFAs) and the benefits of being located within a PFA.

- Please refer to the review criteria (pp. 27, 32-33, 39-40) in the Water Resource Element Models & Guidelines document for further guidance - http://www.mdp.state.md.us/mgs/pdf/mg26.pdf.

- For more information on the Chesapeake Bay Tributary Strategy, see http://www.dnr.state.md.us/bay/tribstrat/implementation_plan.html